

Definitions

Gender expression or identity: having, or being perceived as having, a gender identity, self-image, appearance, behavior or expression, whether or not that gender identity, self-image, appearance, behavior or expression is different from that traditionally associated with the sex assigned to that person at birth. Gender identity is a person's internal sense of being male, female, or something else.

Note: Because gender identity is internal, a person's gender identity is not necessarily visible to others. "Gender expression" is the way a person represents or expresses one's gender identity to others, often through behavior, clothing, hairstyle, and/or voice or body characteristics.

Policy Statement

PATH is committed to every person's right to be treated with courtesy, dignity, and respect and to work in an environment that is free of discrimination and harassment. PATH strictly prohibits discrimination and all forms of harassment based on legally protected status, including sexual harassment. Any personnel who violate this policy is subject to corrective action, up to and including immediate termination of employment or contract.

PATH is committed to investigating any report of harassment based on the legally protected status of personnel. Any investigation regarding a potential violation of this policy will be conducted in confidence to the degree possible while still conducting a fair and objective investigation. PATH is committed to prohibiting retaliation against those who report incidents of harassment in good faith.

Unlawful Harassment

Harassment is defined as verbal, written, or physical conduct that is hostile and adverse toward others based on the race, creed, color, national origin, religion, sex, marital status, age, physical or mental disability, genetic information, sexual orientation, gender expression or identity, military status, or any other characteristic protected by applicable law. This policy also prohibits harassment and discrimination based on the perception that anyone has any of the protected characteristics or is associated with a person who has or is perceived as having any of those characteristics.

Unlawful harassment covers a range of behaviors, including subtle and not-so-subtle verbal and non-verbal behavior. It can be engaged in or experienced by individuals regardless of gender. PATH will not tolerate any form of harassment based on a protected characteristic. Prohibited harassment includes, but is not limited to, the following examples of offensive conduct:

- Verbal conduct such as threats, epithets, derogatory comments, jokes, unwanted conversation about identity, or slurs referencing a protected class.
- Visual conduct such as derogatory posters, photographs, cartoons, drawings, or gestures referencing such protected classes.
- Written communication containing statements or images which may be offensive to individuals in a particular protected group, such as racial or ethnic stereotypes, caricatures, jokes, symbols, or nicknames including, but not limited to, the use of PATH equipment through e-mail, texts, tweets, blogs, social networking sites, or other means.
- Physical conduct such as assault, unwanted touching, or blocking another individual's movement.

Sexual Harassment

Sexual harassment includes a broad spectrum of conduct, including unsolicited and unwelcome sexual advances, requests for sexual favors, and other written, verbal, physical, or visual conduct of a sexual nature that is imposed on an individual. Examples of unacceptable behavior include, but are not limited to:

- Offering a job or an employment benefit (such as a raise, promotion, or career advancement) in exchange for sexual favors or threatening an employment action (such as termination or demotion) for an employee's refusal to engage in sexual activity.
- Unwelcome sexual advances, like requests for dates or propositions for sexual favors.
- One-sided, romantic attention in the form of requests for dates, love letters, telephone calls, emails, texts, or gifts.
- Making or threatening reprisals or changing performance expectations after an employee has turned down a sexual advance.
- Visual or physical conduct, such as leering, making sexual gestures, or displaying sexually suggestive

objects, pictures, cartoons, calendars, or posters in the workplace.

- Verbal conduct, like making or using derogatory comments, epithets, slurs, teasing, or jokes of a sexual nature.
- Making sexually oriented comments about an individual's sex life, clothing, or body.
- Sexually degrading words used to describe an individual.
- Suggestive or obscene letters, emails, texts, notes, or invitations.
- Repeatedly talking about sex or describing sexual acts.
- Unwelcome physical contact, including pats, hugs, brushes, touches, shoulder rubs, assaults, or impeding or blocking movements.
- Offering or conditioning a business opportunity (such as a contract) in exchange for dates or sexual favors, offering or conditioning PATH-related programmatic services in exchange for dates or sexual favors, or changing or terminating such services, a contract, or a scope of work due to a party's refusal to submit to or engage in sexual activity.

Harassment or discrimination based on a protected characteristic is unacceptable both in PATH's offices and in any work-related setting outside our offices such as during business trips, trainings, on office outings, at parties, or at business-related social events.

It is also unacceptable to harass persons who are not PATH employees, and who you may encounter through or in connection with PATH activities, such as visitors, independent contractors, customers, partner staff, beneficiaries of PATH's work, or others connected with PATH. Likewise, PATH employees are not to tolerate any conduct prohibited by this policy from anyone while at work or engaged in PATH business. This includes harassment from their fellow co-workers, as well as by visitors, independent contractors, consultants, board members, donor or partner staff, or other individuals they interact with while performing their work.

Reporting Unlawful Harassment

PATH personnel are obliged to create and maintain an environment that protects human dignity and prevents harassment.

PATH personnel who experience or observe harassing behavior must immediately report that behavior to PATH, following PATH's Procedures on Harassment and Retaliation, as soon as possible after the incident.

Your reporting of the problem is essential to PATH. We cannot resolve a harassment problem unless we know about it. Therefore, it is the responsibility of all PATH personnel to bring harassment incidents to our attention so that we can take whatever steps are necessary to address the situation.

Managers who observe harassing behavior or receive a report of harassment are required to immediately notify

their Human Resources Business Partner or any Human Resources Director.

PATH takes all complaints of unlawful harassment seriously and will not penalize or retaliate against a person in any way for reporting a harassment problem in good faith.

All PATH personnel are expected to reasonably cooperate with a harassment investigation. Hindering or undermining an investigation is strictly prohibited.

Consequences of Violations

Any PATH personnel determined by PATH to be responsible for harassment under this policy, or otherwise in violation of this policy, will be subject to disciplinary action, up to and including termination of employment or contract.

Retaliation Prohibited

PATH is committed to prohibiting retaliation against those who report incidents of harassment and those who participate in or cooperate in any way in the investigation of alleged misconduct.

Retaliation is when you suffer an adverse employment action, such as demotion or discipline, because you exercised a legal right. Examples of retaliation may include:

- Transfer to a less desirable position.
- Termination, or threat of termination, of employment.
- Intimidation or verbal or physical abuse.
- Inappropriate reprimands.
- Unjustified negative performance feedback.
- Adverse actions with respect to your work assignments, salary, vacation, or other terms of employment.
- Discipline, or threats of discipline, for insubordination.
- Increased monitoring or surveillance without a legitimate business reason.
- Suspension or other punishment for complaining about harassment or participating in the reporting or investigation of harassment.

PATH does not tolerate retaliation for filing a complaint, participating in an investigation, or otherwise opposing harassment. If you feel you are being retaliated against, or observe retaliation, you must immediately contact your Human Resources Business Partner or any Human Resources Director.

It is critical that PATH personnel, particularly managers, understand how important it is to avoid taking actions that, while maybe unintentional, could be perceived as retaliation for making a complaint. If you are a manager, consult with your Human Resources Business Partner before taking adverse employment action against an individual who has filed a complaint or is participating in an investigation.

Any personnel determined to be responsible for retaliation will be subject to appropriate disciplinary action, up to and including immediate termination of employment or contract.

Personnel who knowingly and intentionally make a false report of harassment or retaliation may also be subject to appropriate disciplinary action, up to and including termination of employment or contract.

Training

PATH recognizes the need for organization-wide training and awareness raising. All PATH staff will be trained on this policy and associated procedure, including prohibited behavior, how to report, retaliation, and the actions that will be taken against PATH personnel for violations. PATH will regularly evaluate such training to ensure that it continues to provide effective guidance and awareness raising for inappropriate behavior in violation of this policy, and develops skills for personnel to detect, prevent, and report any form of conduct in violation of this policy.

Data and Reporting

Human Resources will maintain an incident report in which anonymized data and information will be collected for internal monitoring and analysis of unlawful harassment. No confidential or personal information will be included in such reports. The consolidated report for the previous year will be made available to staff annually.

Worldwide Scope

All personnel worldwide are required to comply with this policy at a minimum. However, if country and local-level requirements are stricter (such as additional protected classes or reporting requirements), employees must follow local policy and/or requirements as set forth in country handbooks or similar policies, in addition to the terms of this policy. Please refer to your Human Resources Business Partner if you have questions.